

# Notice of Allowability

Application No.

10/791,072

Examiner

Gay Ann Spahn

Applicant(s)

PETERSON ET AL.

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview on 19 July 2005 with Attorney Roger D. Wylie.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20050718.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 19 July 2005, Attorney Roger Wylie requested an extension of time for One (1) MONTH and authorized the Director to charge Deposit Account No. 12-1216 the required fee of \$110.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Roger D. Wylie on July 19, 2005.

The application has been amended as follows:

Art Unit: 3673

In the specification:

Page 4, line 4 of Paragraph No. [0009], change "cut-out" to --thinner or narrowed portion--.

Page 9, line 4 of Paragraph No. [0025], change "30" to --29--.

Page 9, line 6 of Paragraph No. [0025], change "30" to --29--.

Page 11, line 4 of Paragraph No. [0029], after "the outer surface of the sleeping bag 10 and before the comma punctuation mark (i.e., ","), insert --an pulling on the connection points where the loop 30 and cord 32 are connected to the sleeping bag 10--.

Page 14, line 2 of Paragraph No. [0036], change "40" to --44--.

Page 15, line 3 of Paragraph No. [0037], after "thinner", insert --or narrowed--.

Page 15, line 12 of Paragraph No. [0038], change "used" to --use--.

In the claims:

Claim 1 (Currently Amended). A sleeping bag, comprising:

a cinch mechanism for maintaining the sleeping bag in a rolled configuration, the cinch mechanism comprising:

an elongate flexible material connected to the sleeping bag and configured so as to form a loop;

a cord connected to the sleeping bag and that is a separate element independent of the elongate flexible material; and

a clasp attached to the cord;

Art Unit: 3673

wherein the loop, the cord, and the clasp are arranged and configured such that, when the sleeping bag is rolled, the elongate flexible material wraps around the sleeping bag, the cord is extended through the loop, and the clasp is attached to a portion of the cord so as to hold the elongate flexible material and the cord in place, and wherein pulling on the clasp relative to the loop prior to attaching the clasp to the portion of the cord pulls at connection points for the cord and elongate flexible material and thereby tightens the roll of the sleeping bag.

Claim 8 (Currently Amended). ~~The sleeping bag of claim 7, wherein~~

A sleeping bag, comprising:

a cinch mechanism for maintaining the sleeping bag in a rolled configuration, the cinch mechanism comprising:

an elongate flexible material connected to the sleeping bag and configured so as to form a loop;

a cord connected to the sleeping bag; and

a clasp attached to the cord, the clasp comprises comprising two openings for hooking onto a portion of the cord that extends against an outer surface of the sleeping bag;

wherein the loop, the cord, and the clasp are arranged and configured such that, when the sleeping bag is rolled, the elongate flexible material wraps around the sleeping bag, the cord is extended through the loop, and the clasp is attached to a portion of the cord so as to hold the elongate flexible material and the cord in place, and

Art Unit: 3673

wherein pulling on the clasp relative to the loop prior to attaching the clasp to the portion of the cord pulls at connection points for the cord and elongate flexible material and thereby tightens the roll of the sleeping bag.

Claims 14-32 are canceled.

In the drawings:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: in Figs. 1 and 2, loop "30" (which is located at the right edge 18 of sleeping bag 10 and which engages with toggle 28 on the left edge 16 of sleeping bag 10) has been changed to --29--. In order to avoid abandonment of the application, Applicants must make these above agreed upon drawing changes.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 1,704,182 to Ellery discloses a sleeping bag made from flexible material adapted to be rolled into a cylindrical body having a fabric wrapper strip for rolling up the sleeping bag in. Great Britain Patent Publication No. 898,653 to Slater discloses a sleeping bag similar to Ellery's sleeping bag , but having loops (26) at one end of the fabric wrapper strip. U.S. Patent No. 4,329,747 to Russell discloses a support pad which can be rolled and secured in a roll via end fasteners (52) and fastener buckles (40) and fastener tabs (42). U.S. Patent No. 6,701,580 to

Art Unit: 3673

Bandyopadhyay discloses an interlocking fastener including adhesive portions. U.S. Patent No. 5,603,591 to McLellan discloses a safety strapping system. U.S. Patent No. 5,548,871 to Trethewey discloses a bundling strap. U.S. Patent No. 4,149,540 to Hasslinger discloses a separable cinch fastener. U.S. Patent Application Publication No. 2003/0167605 to Schultz discloses a fastening strap system. U.S. Patent No. 4,125,910 to Nicholai discloses a lazy man's sleeping bag having loops (60) in Fig. 6. U.S. Patent Nos. 5,199,135 to Gold, 5,715,578 to Knudson, 6,842,948 to Smith, and 4,158,250 to Ringwald all disclose binding devices having loops. U.S. Patent No. 6,112,963 to Pratt discloses an apparatus for carrying and storing sleeping bags and other related articles. U.S. Patent No. 6,330,949 to DeRisio discloses a hanger storage system (see Figs. 9 and 10) having a cord (55) with a clasp (113) through a loop (111). U.S. Patent No. 3,860,157 discloses a clasp (56a) attached to the end of a cord (54a) for binding (see Fig. 11). U.S. Patent No. 4,905,990 to DeSantis discloses an exercise mat folded and secured by loops. U.S. Patent No. Des. 341,513 to Reeves discloses a combination beach towel and pillow which is rolled and secured by loops. U.S. Patent No. 5,950,260 to Dees discloses a pleated unitary work mat with headrest. U.S. Patent No. 3,268,922 to Moxley discloses a rollable mattress which is secured by straps and buckles. U.S. Patent No. 4,601,076 to Knobloch discloses a lounging/sleeping apparatus which is secured into a roll by ties. U.S. Patent No. 2,870,464 to Lalick discloses an all-purpose blanket which can be folded and secured by a strap fastener. U.S. Patent No. 5,210,891 to Avital et al. discloses a portable mattress which can be folded or rolled. U.S. Patent No. 2,033,779 to Monk discloses an ambulance stretcher

Art Unit: 3673

which can be rolled and secured by straps and buckles. U.S. Patent No. 4,370,767 to Fraser discloses a beach mat which can be rolled. U.S. Patent No. 6,349,865 to Tolley et al. discloses a truck storage compartment (12) which when not in use can be rolled and secured with a loop (46) as shown in Fig. 7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford can be reached on (571)-272-7049. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. However, this fax phone number is being phased out and will no longer be in service after September 15, 2005. The new fax phone number beginning (571)-273-8300 will be (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 3673

you have questions on access to the Private PAIR system, contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free).

<sup>GA</sup>  
Gay Ann Spahn, Patent Examiner  
July 19, 2005



**MICHAEL SAFAVI  
PRIMARY EXAMINER  
ART UNIT 354**